



PATENT
Attorney Docket No.: AVALUC-00301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 2643
Connie Blackburn *et al.*) Examiner: Tran, Q.
Serial No.: 09/512,838)
Filed: February 25, 2000)
For: **A SYSTEM AND METHOD OF**)
BILLING A PREDETERMINED)
TELEPHONE LINE FOR SERVICE)
UTILIZED BY A CALLING PARTY)
)

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MS: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed please find a Petition for Refund of Paid 3 Month Extension of Time Fee including Exhibit A and Exhibit B for filing with the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

By: 
Thomas B. Haverstock
Reg. No.: 32,571

Dated: October 15, 2004

Attorneys for Applicants

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 10-15-04 By: 



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In re Application of:) Group Art Unit: 2643
Connie Blackburn *et al.*)
Serial No.: 09/512,838) Examiner: Tran, Q.
Filed: February 25, 2000)
For: **A SYSTEM AND METHOD OF
BILLING A PREDETERMINED
TELEPHONE LINE FOR SERVICE
UTILIZED BY A CALLING PARTY**) **PETITION FOR REFUND OF PAID 3
MONTH EXTENSION OF TIME FEE
(37 C.F.R. § 1.181)**
Customer No.: 28960

MS: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for refund of three month extension of time fee for the following reasons:

1. The Office mailed a Final Office Action on April 16, 2004. Within the Final Office Action, a shortened statutory period for reply was set to expire 3 months from the mailing date.
2. Applicant filed an Amendment and Response to Final Office Action on June 1, 2004, which was within the 2 month time frame for receiving an Advisory Action from the Office. Exhibit A includes a copy of the Certificate of Mailing showing the mailing date to be June 1, 2004. Exhibit B includes a copy of the return receipt postcard showing that the Office received the Applicant's Amendment and Response to Final Office Action on June 3, 2004.
3. The Applicant has spoken with the Examiner via telephone and requested the current status of the Advisory Action, the current status of the Application, and the current

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disposition of the claims, in light of the pending 6 month statutory period for reply. As of October 15, 2004, the current status of the Advisory Action, the current status of the Application, and the current disposition of the claims remains unknown.

4. To reply within the 6 months maximum statutory period for reply and to avoid abandonment of the application, on October 15, 2004, the Applicant filed a Notice of Appeal and paid the 3 month extension of time fee, \$980.00.
5. The Applicant requests a refund of the paid 3 month extension of time fee, \$980.00, as it is due to the lack of an Advisory Action from the Office that delayed a reply from the Applicant beyond the 3 month shortened statutory period for reply.

Dated: 10-15-04

By: Thomas B. Haverstock

Thomas B. Haverstock

Reg. No.: 32,571

Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR 1.3(a))

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HAVERSTOCK & OWENS LLP.

- 2 -

Date: 10-15-04

John D. Pearson



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EXHIBIT A

PATENT
Attorney Docket No.: AVALUC-00301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Connie Blackburn et al.

Serial No.: 09/512,838

Filed: February 25, 2000

For: **A SYSTEM AND METHOD OF
BILLING A PREDETERMINED
TELEPHONE LINE FOR SERVICE
UTILIZED BY A CALLING PARTY**



) Group Art Unit: 2643
) Examiner: Tran, Q.
) **TRANSMITTAL LETTER**
) 162 North Wolfe Road
) Sunnyvale, California 94086
) (408) 530-9700
) Customer Number 28960

MS: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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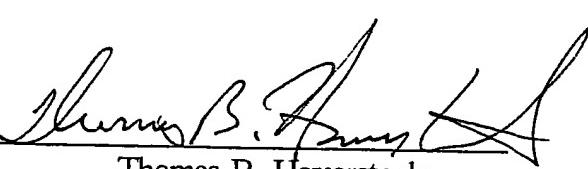
Technology Center 2600

Sir:

Enclosed please find an Amendment and Response to the Final Office Action mailed on April 16, 2004 for filing with the U.S. Patent and Trademark Office.

The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. An originally executed duplicate of this transmittal is enclosed for this purpose.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

By: 
Thomas B. Haverstock
Reg. No.: 32,571

Dated: June 1, 2004

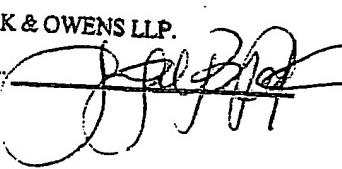
Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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HAVERSTOCK & OWENS LLP.

Date: 6-1-04

By: 



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EXHIBIT B



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Serial No.: 09/512,838 H&O File No.: AVAIUC-00301 By: TBH
In the Matter of The Application of: Connie Blackburn et al.

Date Mailed: 6-1-04

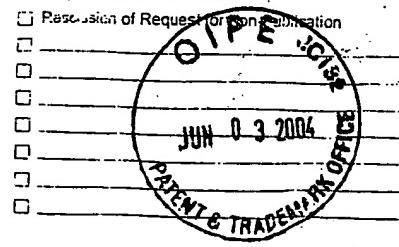
Due Date: 7-16-04

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

Design Patent Application _____ Pages
 Utility Patent Application _____ Pages
 Prov. Patent Application _____ Pages
 Declaration/Oath _____
 Power of Attorney _____
 Assignment _____
 Form PTO-153 (1595)
 _____ Statement
 Drawings: _____ Sheets(s)
 Formal Informal
 Information Disclosure Statement
 Form PTO-1449 and Corr. of
 References Cited heron
 Information Disclosure Certification
 Answer/Response
 Extension of Time Request: _____ Months.
 Petition

Form PTO-1533 (Not. of Missing Parts)
 Form PTOL-673 (Issue Fee Trans.) & dup.
 Form PTO-1054 (Cert. of Correction)
 Maintenance Fee Transmittal Form
 Reexamination Request
 Notice of Appeal
 Affidavit/Declaration
 Copy of Filing Receipt
 Req. for Corr. of: _____
 Request for Non-Publication
 Rescission of Request for Non-Publication

Transmittal Letter Duplicate
 Certificate of Mailing
 Certificate of Express Mailing
Label No.: _____
 Check(s): \$ _____
 Deposit Account Authorization Form



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COPY

Serial No.: 0015012,838 H&O File No.: AUS1114-C-0031 By: TBSH
In the Matter of The Application of: Connie Blackburn et al. NRW
Date Mailed: OCT 18 2004 Due Date:
The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> Design Patent Application _____ Pages	<input type="checkbox"/> Form PTO-1533 (Not. of Missing Parts)	<input checked="" type="checkbox"/> Transmittal Letter	<input checked="" type="checkbox"/> Duplicate
<input type="checkbox"/> Utility Patent Application _____ Pages	<input type="checkbox"/> Form PTOL-85B (Issue Fee Trans.) & dup.	<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Certificate of Express Mailing
<input type="checkbox"/> Prov. Patent Application _____ Pages	<input type="checkbox"/> Form PTO-1050 (Cert. of Correction)	Label No.: _____	
<input type="checkbox"/> Declaration/Oath	<input type="checkbox"/> Maintenance Fee Transmittal Form	<input type="checkbox"/> Check(s): \$ _____	
<input type="checkbox"/> Power of Attorney _____	<input type="checkbox"/> Reexamination Request	<input checked="" type="checkbox"/> Deposit Account Authorization Form	
<input type="checkbox"/> Assignment	<input type="checkbox"/> Notice of Appeal		
<input type="checkbox"/> Form PTO-1594/1595	<input type="checkbox"/> Affidavit/Declaration		
<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Copy of Filing Receipt		
<input type="checkbox"/> Drawings: _____ Sheets(s) <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Req. for Corr of: _____		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Non-Publication		
<input type="checkbox"/> Form PTO-1449 and Copies of _____ References Contained Thereon	<input checked="" type="checkbox"/> Petition for Refund		
<input type="checkbox"/> Information Disclosure Certification	<input type="checkbox"/>		
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/>		
Extension of Time Request: _____ Months(s)	<input type="checkbox"/>		
<input type="checkbox"/> Petition	<input type="checkbox"/>		
	<input type="checkbox"/>		

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